

AMENDED IN ASSEMBLY MARCH 27, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 2348

Introduced by Assembly Members Laird and Salinas

February 23, 2006

An act to add Section 12687.5 to the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 2348, as amended, Laird. Flood control: Pajaro River.

(1) Existing law provides for state cooperation with the federal government in the construction of specified flood control projects.

This bill would adopt and authorize a flood control project on the Pajaro River in the Counties of Monterey and Santa Cruz, *upon a specified determination by the Department of Water Resources*, at an estimated cost to the state of the sum that may be appropriated by the Legislature for state cooperation, ~~upon the recommendations and advice of the Department of Water Resources as prescribed~~. The bill would require the Counties of Monterey and Santa Cruz to carry out the project and to give prescribed assurances to the Secretary of the Army, thereby imposing a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 12687.5 is added to the Water Code, to read:

12687.5. (a) ~~The~~ (1) *Subject to paragraph (2), the project for flood control on the Pajaro River in the Counties of Monterey and Santa Cruz, authorized by the Flood Control Act of 1966 (Public Law 89-789), is hereby adopted and authorized substantially in accordance with the recommendations of the Chief of Engineers of the United States Army Corps of Engineers in House Document 491, 89th Congress, at an estimated cost to the state of the sum that may be appropriated for state cooperation by the Legislature upon the recommendations and advice of the department.*

(2) *The adoption and authorization of the project described in paragraph (1) are contingent upon a determination by the department that the project meets the requirements set forth in Section 12582.7.*

(b) The Counties of Monterey and Santa Cruz shall give assurances satisfactory to the Secretary of the Army that the local cooperation required by federal law will be furnished by these counties in connection with the project for flood control adopted and authorized in subdivision (a).

(c) The Counties of Monterey and Santa Cruz, in conjunction with the Department of the Army, shall carry out the plans and project and may make modifications and amendments to the plans as may be necessary to carry out the plans for the purposes of Chapter 1 (commencing with Section 12570) and this chapter.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district are the result of a program for which legislative authority was requested by that local agency or school district, within the meaning of Section 17556 of the Government Code and Section 6 of Article XIII B of the California Constitution.